

## **REMARKS**

### **Status of Claims**

Claims 1-6 and 23-27 are allowed. Claims 7-9, 11-13, 15, 16, 18-22 and 28 are rejected. Claims 10, 14 and 17 are objected to. No new claims have been added or cancelled.

### **The Response**

#### **Rejection under 35 U.S.C. § 102(a)**

Claims 7-9, 11-13, 15, 16, 18-22, and 28 are rejected under 35 U.S.C. 102(a) as being anticipated by Morris et al (US 6,080,307) ("Morris"). In particular, the Examiner states that "... Morris discloses a catch basin filtration system comprising: a filter body, seen as plate (110), dimensioned to fit within an inlet and obstructing at least a portion of the inlet, the filter body comprising a porous material, ... and one or more fluid displaceable adsorbent containers within the filter body, seen as canisters (140)..." Office Action dated April 14, 2004 at page 2. Applicant respectfully submits that Morris fails to anticipate the referenced claims.

In order to anticipate a claim, a reference must include every material element of that claim. See M.P.E.P. § 2313. Here, independent claims 7, 16 and 28 recite, *inter alia*, a filter body and one or more fluid displaceable adsorbent containers within said filter body. Rather than those elements, Morris discloses a perforated plate (110) and canisters (140) through which water flows. See Morris at Figure 1. The canisters (140), which the Examiner contends are fluid displaceable adsorbent containers, are suspended from a bracket (120), which the Examiner acknowledges is actually a filter body support bracket. See Office Action dated April 14, 2004 at page 3 ("... the bracket (120) of Morris serves as a filter body support bracket."); Morris at column 4, lines 6-7 ("Canister 140 can be flared at the top, so

that it is suspended from but does not fall through bracket 120”). These canisters are, therefore, not *within* the plate (110) or filter body of Morris.

Moreover, Morris actually teaches away from the claimed invention. Morris discloses a number of embodiments for suspending the canister from the bracket: a metal ring and a wedge-shaped upper lip, as noted by the Examiner. *See* Office Action dated April 14, 2004 at page 4; Morris at column 4, lines 6-19; *see also* Morris at Figure 1 (showing a canister suspended from the bracket and not within the plate). Each of these embodiments provides for attachment of the canister (140) to the bracket (120) outside of the plate, rather than within the plate (110) or filter body itself. There is, therefore, no indication or suggestion in Morris that adsorbent containers be attached to the interior of a filter body, as described in the present invention. *See* Specification at page 9, line 15 and page 9, lines 21-23.

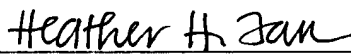
For at least the foregoing reasons, Applicant respectfully submits that Morris fails to anticipate independent claims 7, 16 and 28. Since claims 8-9, 11-13 and 15 depend from independent claim 7 and claims 18-22 depend from independent claim 16, Morris also fails to anticipate those dependent claims for at least the same reasons. Accordingly, it is respectfully requested that the Examiner withdraw the rejections for claims 7-9, 11-13, 15, 16, 18-22 and 28.

## CONCLUSION

In view of the foregoing amendments and remarks, the Applicants believe that the application is in good and proper condition for allowance. A Notice of Allowance is earnestly requested. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (213) 892-1800. Should any fee be required for any reason related to this document, the Commissioner is hereby authorized to charge said fee to Deposit Account No. **08-3038**, referencing Docket No. **11533.0012.CNUS06**.

Respectfully submitted,

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